

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims**

1.-24. (Canceled)

25. (Currently Amended) A method for use in a code division multiple access (CDMA) base station for providing multiple grades of service to a plurality of subscriber units requesting traffic channels, the method comprising:

detecting ~~a request~~ requests for access from a plurality of subscriber units to transmit data to or receive data from the base station using a plurality of traffic channels; ~~and~~

assigning a priority level for each of the detected requests, the priority level associated with the subscriber unit transmitting the request, wherein the priority level of the subscriber unit depends on the priority level of all inactive users, on a continuity of resource demand and on subscriber unit's historical usage of base station resources;

comparing a continuous time allocation of continuously used channel resources for each of the subscriber units against a time threshold and adjusting the priority level when the time threshold is exceeded; and

allocating at least one traffic channel to each of the subscriber units requesting to transmit data to or receive data from the base station based on the priority level of the subscriber unit, wherein a subscriber unit with a lower priority level is allocated fewer traffic channels than a subscriber unit assigned a higher priority level.

26. (Canceled)

27. (Previously Presented) The method of claim 25 wherein the subscriber unit is assigned a lower priority level when the subscriber unit's historical usage is higher than the time threshold for a predetermined period of time.

28. (Canceled)

29. (Previously Presented) The method of claim 25 wherein the subscriber unit is assigned a higher priority level when the subscriber unit's historical usage is lower than the time threshold for a predetermined period of time.

30. (Previously Presented) The method of claim 29 wherein the higher priority level results in the subscriber unit being allocated more traffic channels than a subscriber unit assigned a lower priority level.

31. (Previously Presented) The method of claim 25, further comprising: reserving at least one traffic channel for subscriber units having the lowest priority level; and  
creating a queue of detected requests from subscriber units with the lowest priority level to ensure that subscriber units with the lowest priority level are allocated the at least one traffic channel at predetermined times.

32. (Currently Amended) A code division multiple access (CDMA) base station comprising:

circuitry configured to detect a request from a plurality of subscriber units to transmit data to or receive data from the base station using a plurality of traffic channels;

circuitry configured to assign a priority level for each of the detected requests, the priority level associated with the subscriber unit transmitting the request, wherein the priority level of the subscriber unit depends on the subscriber

unit's historical usage of base station resources and on a continuity of resource demand;

circuity configured to compare a continuous time allocation of continuously used channel resources for each of the subscriber units against a time threshold and to adjust the priority level when the time threshold is exceeded; and

circuity configured to allocate the traffic channels to each of the subscriber units requesting to transmit data to or receive data from the base station based on the priority level of the subscriber unit, wherein a subscriber unit with a lower priority level is allocated fewer traffic channels than a subscriber unit assigned a higher priority level.

33. (Canceled)

34. (Previously Presented) The code division multiple access (CDMA) base station of claim 32 wherein the subscriber unit is assigned a lower priority level when the subscriber unit's historical usage is higher than the time threshold for a predetermined period of time.

35. (Canceled)

36. (Previously Presented) The code division multiple access (CDMA) base station of claim 32 wherein the subscriber unit is assigned a higher priority level when the subscriber unit's historical usage is lower than the time threshold for a predetermined period of time.

37. (Previously Presented) The code division multiple access (CDMA) base station of claim 36 wherein the higher priority level results in the subscriber unit being allocated more traffic channels than a subscriber unit assigned a lower priority level.

38. (Previously Presented) The code division multiple access (CDMA) base station of claim method of claim 32, further comprising:

    circuitry configured to reserve at least one traffic channel for subscriber units having the lowest priority level; and

    circuitry configured to create a queue of detected requests from subscriber units with the lowest priority level to ensure that subscriber units with the lowest priority level are allocated the at least one traffic channel at predetermined times.